## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			28-Feb-08	APPL. S. N:	10658898			
To Exami	ner:		VU, NGOC	Art Unit	2623			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJECT	: Decisio	n on Terminal	Disclaimer(T.D.) filed:					
form para or have a	agraphs in ny quest	dentified by th ions, please se	is informal memo in your next ( se me or the Special Program Ex	sults as set forth below. If you ag Office action to notify applicant of caminer. THIS IS AN INFORMAL, I RECORD IN THE APPLICATION FI	the T.D. If you disagree INTERNAL MEMO ONLY.			
please ini	tial, date	and return th	is memo to me. THANK YOU.					
<u>তি</u>	The T.D.	is PROPER an	d has been recorded (see 14.23	).				
_	The T.D.	is NOT PROPE	ER and has not been accepted fo	r the reason(s) checked below (se	ee 14.24):			
n.		The TD fee of use of a depo		ed nor is there any authorization i	n the application file for the			
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
•		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
		The person w	ho signed the T.D.:					
		is no	ot an attorney "of record" (see 1	4.29 and 14.29.01).	•			
		has	failed to state his/her capacity t	to sign for the business entity (see	e 14.28). ·			
		is n	ot recognized as an officer of the	e assignee (see 14.29 & possible :	14.29.02).			
		nor is the ree (see 37 CFR 3	l and frame number specified as 3.73(b) and 1140 O.G. 72). NOT	rom the original inventor(s) to as: s to where such evidence is record E: This documentary evidence or a separate paper of record in the	ded in the Office the specifying of the reel and			
		The T.D. is no	ot signed (see 14.26 & 14.26.03	).	•			
			mber of the application (or the rection is missing or incorrect (se	number of the patent) which form to 14.32).	s the basis for the double			
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
	Γ	The period di	sclaimed is incorrect or not spec	ified (see 14.26, 14.27.02 or 14.2	26.03).			
	Γ.	Other:			Ţ.			
			o request refund (see 14.36). NO neck this item.	OTE: If already authorized, credit	refund to deposit account			
I have ap	propriate	ely notified app	olicant(s) of the status of the Te	rminal Disclaimer filed in this case	<b>.</b> .			
Ex.Initials	5:	Date	e:		Log Date:			

R		·						
Internal Doc		cument – DO NOT MAIL						
		☐ DISAPPROVED						
This patent is subject to a Terminal Disclaimer								
A								
Approved/Disapproved by:								
Henry D. Jefferson								
	10/658,898  ☑ APPROVE  This patento a Tender Discle	Internal Do  Internal Do  ✓ APPROVED  This patent is subject to a Terminal Disclaimer	Internal Document – DO  APPROVED  This patent is subject to a Terminal Disclaimer					

U.S. Patent and Trademark Office

PTO/SB/26 (07-05)
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) MS1 _ 0845USC1						
In re Application of: Philip A. Chou							
Application No.: 10/658,898							
Filed: 9/10/2003							
For: Multimedia Presentation Latency Minimization							
The owner*, <u>Microsoft Corporation</u> , of <u>100</u> percent interest in except as provided below, the terminal part of the statutory term of any patent granted on the instant the expiration date of the full statutory term prior patent No. <u>6.637,031</u> as the term of said and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The granted on the instant application shall be enforceable only for and during such period that it and the pagreement runs with any patent granted on the instant application and is binding upon the grantee, its	prior patent is defined in 35 U.S.C. 154 pwner hereby agrees that any patent so prior patent are commonly owned. This						
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any pater would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened	prior patent, "as the term of said prior						
Check either box 1 or 2 below, if appropriate.	•						
For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.							
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
2. The undersigned is an attorney of agent of record. Reg. No. 58213	·						
Signature	$\frac{2/(2x)}{2}$						
Beatrice L. Koempel-Thomas							
Typed or printed name							
	509-324-9256 Telephone Number						
✓ Terminal disclaimer fee under 37 CFR 1.20(d) included.	receptions from the						
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*Statement_under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  Form PTO/SB/96 may be used for making this certification. See MPEP § 324.							
This collection of information is required by 37 CFR 1 321. The information is required to obtain or retain a benefit by	the public which is to file (and by the USPTO						

This collection of information is required by 37 CFR 1.321. The Information Is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.